

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6681 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

HEIRS OF DINKERPRASAD H VYAS

Versus

STATE OF GUJARAT

Appearance:

MR AJ SHASTRI for Petitioners

MS MITA PANCHAL for Respondent No. 2 and 3

None present for other Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 31/08/1999

ORAL JUDGEMENT

Heard the learned counsel for the petitioner.

2. The petitioner, since deceased, filed this special civil application and prayed for direction to the respondents to consider the petitioner as qualified Vaidhya and to pay all the consequential benefits forthwith.

3. The petitioner, since deceased, retired from the services of the respondent on 31st May, 1976 and he has not made any grievance for his claim made in this special civil application till he filed this special civil application in this court on 29th December, 1986. This claim has been made by the petitioner, since deceased, after more than ten years of his retirement. In case the petitioner would really have the grievance in the matter he would have raised this grievance during the period he was in service. He was in service since 1959 till 31st May, 1976 and during that period he has not raised any grievance which is clearly borne out from the fact that he has not approached to any legal forum available. Even after his retirement he waited for more than ten years to raise this grievance.

4. This petition suffers from the defect of delay and laches and only on this inordinate delay in approaching by the petitioner to this court, it deserves to be dismissed and accordingly the same is dismissed. Rule discharged. Interim relief, if any, granted by this Court stands vacated. No order as to costs.

zgs/-